

JACK L. LESTER
ATTORNEY AT LAW
41 Squaw Road
East Hampton, NY 11937

(631) 604-2228 (office)
(646) 270-1600 (mobile)
jllcomlaw@aol.com
www.jacklesterlaw.com

April 26, 2024

VIA ECF

The Honorable Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *New Yorkers Against Congestion Pricing Tax, et al. v. U.S. Dep't of Transp., et al.*, No. 24 Civ. 367 (S.D.N.Y.) (LJL)

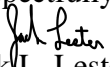
Dear Judge Liman:

I am writing on behalf of Plaintiffs in the above-referenced action (No. 24 Civ. 367). As my office previously advised Your Honor, it has come to my attention that paragraph “54” of the Amended Complaint, in relation to Plaintiff Daphne Brucculeri, contained an inadvertent factual error. The factual error does not in any way impact upon substantive allegations within the Amended Complaint. However, Ms. Brucculeri has requested that the record accurately reflect the fact that her two children no longer attend school within the Central Business District. Therefore, the paragraph should read as follows in replace of the incorrect factual information previously filed with the Court:

54. Plaintiff Daphne Brucculeri is a resident of the State of New York, County of Kings. Ms. Brucculeri has two children, one with special needs who attended a school in the CBD, and another child entering middle school. As she often needs to drive her child with special needs to and from school, she no longer considered sending either child to school in the CBD as the Congestion Pricing fee is untenable for her. Furthermore, although both children received a subsidy to attend an educational summer camp in the CBD, the daily tax makes attending cost prohibitive. As a student with special needs, Ms. Brucculeri’s child is entitled to a Free and Appropriate Education. Congestion pricing creates financial barriers for her son to attend schools and programs in the CBD. This issue was not evaluated by Defendants in either the NEPA or SAPA review process.

Thank you for your attention and cooperation in allowing the record to accurately reflect Ms. Brucculeri's factual circumstances.

Respectfully submitted,


Jack L. Lester, Esq.

Cc: All parties (ECF)